

Frequently Asked Questions

NOAA Fisheries Publishes a Final Rule Affecting King and Spanish Mackerel in the South Atlantic

November 2014

Background

Currently, in the South Atlantic, transfer of harvested fish at sea is prohibited for any species under a commercial trip limit, and only two gillnets are allowed on a federally permitted Spanish mackerel vessel. In some instances the Spanish mackerel trip limit may be exceeded with just one gillnet set, and the excess fish must be discarded. Most discarded fish caught in gillnet gear die due to trauma caused during capture. To reduce the number of discarded fish caught with gillnet gear, NOAA Fisheries is modifying Spanish mackerel gillnet regulations in the South Atlantic.

Additionally, the current system of trip limits for King mackerel may increase the rate of harvest causing the commercial sector to close before Lent, which occurs in the spring, and is the most profitable part of the fishing season. Therefore, this rule will help minimize lost opportunities to fish and optimize profitability in the king mackerel sector of the Coastal Migratory Pelagics fishery.

What actions are contained in the Framework Amendment?

- The Framework Amendment will allow Atlantic migratory group Spanish mackerel harvested with gillnet gear in the South Atlantic in excess of the trip limit to be transferred to another federally permitted vessel that has not yet harvested the trip limit. This provision would be allowed under certain conditions:
 - If allowable gillnet gear is used to harvest the Spanish mackerel.
 - Transfer takes place in federal waters between vessels with valid Spanish mackerel commercial permits.
 - The receiving vessel may possess no more than three gillnets on board after transfer is complete.
 - All fish exceeding the daily vessel limit shall remain entangled in the meshes of the net until transfer.
 - The quantity of fish transferred to any single vessel shall not exceed the applicable daily trip limit.
 - Only one transfer per vessel per day would be allowed.
 - Call-in would be required for both vessels engaged in the transfer: NOAA Fisheries Port Orange Law Enforcement Office (386) 492-6686.
- The Framework Amendment will modify the king mackerel trip limit in the east coast Florida subzone as follows:

From November 1 through the end of February, the trip limit is not to exceed 50 fish per trip. Beginning on March 1 and continuing through March 31, if 70% or more of the Gulf of Mexico (Gulf) group Florida east coast subzone quota has been harvested, the trip limit

would remain 50 fish per trip. If less than 70% of the Gulf group Florida east coast subzone quota has been harvested, the trip limit would increase to 75 fish per trip.

Why are regulations being changed to allow transfer at sea of Spanish mackerel caught with gillnet gear?

- Sometimes gillnet fishermen will catch more than the trip limit of Spanish mackerel in one net. Most Spanish mackerel caught in gillnet gear die; therefore, discarding Spanish mackerel caught in excess of the trip limit often means discarding dead fish to stay within the trip limit.
- To reduce waste in the fishery, fishermen and the South Atlantic Council agreed it would be better to allow Spanish mackerel caught in excess of the trip limit with gillnet gear to be transferred to another vessel that has not yet caught the trip limit.
- To reduce the risk of abuse of the transfer at sea allowance, the South Atlantic Council and NOAA Fisheries established the previously listed set of conditions under which the activity may take place.

Why are regulations being changed to modify trip limits for king mackerel in the east coast Florida subzone?

- Under the current system of trip limits for king mackerel, in the 2011/2012 fishing year, less than 75% of the quota was reached by February 1, triggering the trip limit increase to 75 fish when king mackerel are abundant. This trip limit increase resulted in an in-season quota closure of the subzone in March, which is around Lent, the most profitable time of the year for fishermen.
- The South Atlantic Council developed measures in the Framework Amendment to slow the rate of harvest and extend fishing opportunities through the Lenten season each year.

When will the regulations in the final rule for the Framework Amendment be effective?

- The regulations in the Framework Amendment are effective on December 19, 2014.

Where can I get more information on the Framework Amendment?

- The Framework Amendment and its final rule are available online at the NOAA Fisheries Web site
http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_sa/cmp/2014/sa_framework/index.html.
- The contact person for the Framework Amendment is Kate Michie of NOAA Fisheries Office of Sustainable Fisheries. She may be reached at: (727) 824-5305, or by e-mail at Kate.Michie@noaa.gov.